

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

UNITED STATES OF AMERICA

V.

GABRIEL GARCIA

§  
§  
§  
§  
§  
§

CAUSE NO. SA-14-199M

**DEFENDANT'S MOTION TO CONTINUE**

TO THE HONORABLE JOHN W. PRIMOMO, MAGISTRATE JUDGE OF THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS:

NOW COMES Defendant, Gabriel Garcia, by and through his undersigned attorney, and files this Unopposed Motion to Continue, and in support thereof would show this Honorable Court as follows:

I

This case is set for a preliminary exam and detention hearing on Thursday, March 6, 2014. Defense counsel was not able to get in to visit Mr. Garcia at the GEO Detention Center and is traveling to California to attend a CLE seminar in Los Angeles, California, on Thursday, March 6-7, 2014. Additionally, counsel anticipates that Mr. Garcia will waive his hearings since he is on state parole and on federal supervised release. Counsel respectfully requests a three (3) day continuance.

II

Counsel for the government, Assistant United States Attorney, Priscilla Garcia is not opposed to the continuance requested but wants to inform the court that she will out on scheduled leave next week so will not be able to be present.

III

Defendant acknowledges that any continuance granted in this cause is excludable under the Speedy Trial Act as delay resulting from a continuance granted at the request of defense counsel because the ends of justice served by the continuance outweigh the interest of the public in a Speedy Trial. 18 U.S.C. § 3161(h)(7)(A).

FOR THESE REASONS, Defendant respectfully prays that this Honorable Court will continue the above-styled and numbered cause for three (3) days.

Respectfully submitted,

MAUREEN SCOTT FRANCO  
Federal Public Defender

/s/ALFREDO R. VILLARREAL  
Assistant Federal Public Defender  
Western District of Texas  
727 East César E. Chávez Blvd., B-207  
San Antonio, Texas 78206-1205  
Tel.: (210) 472-6700  
Fax.: (210) 472-4454  
Bar Number: 20581850

*Attorney for Defendant*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 5th day of March, 2014, I filed the foregoing Defendant's Unopposed Motion to Continue with the Clerk of the Court using the CM/ECF system which will give notification of such filing to the following:

Priscilla Garcia  
Assistant United States Attorney  
601 NW Loop 410, Ste. 600  
San Antonio, Texas 78216

/s/ALFREDO R. VILLARREAL  
*Attorney for Defendant*

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF TEXAS

SAN ANTONIO DIVISION

UNITED STATES OF AMERICA

V.

GABRIEL GARCIA

§  
§  
§  
§  
§  
§

CAUSE NO. SA-14-199M

**ORDER**

On this date came on to be considered the Defendant's Unopposed Motion for Continuance, and the Court having considered the premises, is of the opinion that the same should be and is hereby GRANTED.

It is therefore ORDERED that the preliminary exam and detention hearing be continued for three (3) days.

The Court finds that, for the reasons set out in the Defendant's motion, the ends of justice served by the continuance granted by this order outweigh the interest of the public in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A).

SO ORDERED on this the \_\_\_\_\_ day of March, 2014.

---

JOHN W. PRIMOMO  
United States Magistrate Judge